IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.66 OF 1987

Bokhara Palace .. Plaintiffs.

Versus

Contship Container Lines & Anr. .. Defendants.

None for plaintiff.

Ms.Kaneez Manjee i/b.Motiwala & Co. for plaintiffs.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 28th August, 2007.

P.C.:

. On the last occasion, Mr.R.F.Fernandes, Advocate appeared and stated that he would seek instructions from the plaintiffs with regard to the steps which are to be taken in law for prosecuting the suit. Although the Board shows the name of Mr.G.A.Rebello as Advocate for plaintiffs, it is informed that he has expired longtime back. Mr.Fernandes, who was a junior in the office of Mr.G.A.Rebello, therefore, took responsibility of appearing for the plaintiffs and contacting them. He sought adjournment and with a view to accommodate him, at

his personal request, matter was adjourned till today. There was a conditional order which was already passed on 4th July, 2007. It was recalled temporarily so as to accommodate Mr.Fernandes. Today,neither Mr.Fernandes is present nor are the plaintiffs. In such circumstances and when no attempt is made to prosecute the suit despite repeated adjournments, the suit cannot be kept pending on the file of this Court indefinitely. The suit is, therefore, dismissed for want of prosecution.

. Ad-interim orders, if any, to stand vacated forthwith. No order as to costs.

(S.C.Dharmadhikari, J.)